

DAUGA -- 09/886,395  
Client/Matter: 012237-0281180

### REMARKS

Reconsideration and allowance of the above-identified Application in view of the above amendments and the following remarks are respectfully requested.

Claims 1-12 and 15-26 are pending. Claim 26 is newly added.

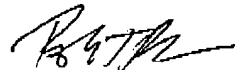
New independent claim 26 recites that the processing unit is configured and arranged to calculate brightness and color information for the plurality of points under examination. Basis for this amendment may be found at least at page 7 lines 15-29 of the specification, though the concept is described throughout the specification. None of the cited references, Shiratori, Wolff, or Hielscher relate to the calculation of a combination of brightness and color information as recited in the claims as amended. As noted in the specification, color information helps to determine how the surface would be perceived by a human eye. Because none of the references teach or suggest acquisition or analysis of color and brightness information, applicant respectfully submits that new claim 26 is patentable.

All objections and rejections having been previously addressed, applicant respectfully submits that the claims are in condition for allowance and respectfully request a notice to that effect.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

PILLSBURY WINTHROP LLP



ROBERT C. PEREZ

Reg. No. 39328

Tel. No. (703) 905-2159

Fax No. (703) 905-2500

RCP/smm  
P.O. Box 10500  
McLean, VA 22102  
(703) 905-2000